

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

PRESENT:           Supervisor   Edward Fairbrother  
                  Council       Bob Adams  
                                  Lee Giammichele  
                                  Andy Gillette  
                                  Mike Saglibene  
                  Clerk       Linda Cross

ABSENT:           Attorney     Thomas Reilly

Supervisor Fairbrother called the Water Board meeting to order at 7:00 p.m.

WATER BOARD

RESOLUTION NO.122-14

POSITION OF WATER OPERATOR 1, APPOINTMENT APPROVED

Resolution by: Adams  
Seconded by: Saglibene

WHEREAS the Water Board has recognized the need for a third Water Operator 1 within the Water Department, and

WHEREAS for environmental purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such, no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Water Board creates a third position of Water Operator 1 for the Water Department, and

WHEREAS Town Supervisor Fairbrother and Water Systems Supervisor duly conducted interviews, and

WHEREAS Joshua Stermer has been deemed qualified for and is eligible for hire on a provisional basis, subject to the Regional Civil Service Commission's review and requirements, a passing score on the Civil Service test for Water Treatment Plant Operator trainee to be held at a later date, and

FURTHER RESOLVED accepts the recommendation of the Town Supervisor and the Water Systems Supervisor and hereby appoints Joshua Stermer for the position of Water Operator I to the Water Department, effective March 24, 2014, as a probationary appointment for 26 weeks to said position consistent with Civil Service Law and subject to satisfactory completion of a duly authorized background check, and

FURTHER RESOLVED that Joshua Stermer shall be paid \$14.01 per hour, receive full Town benefits and be entitled to the benefits of and subject to the terms and conditions of the current CSEA contract and Town Employee Handbook, as amended, and

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RESOLUTION NO.122-14, POSITION OF WATER OPERATOR 1, APPOINTMENT  
APPROVED continued

FURTHER RESOLVED that the Town Supervisor is hereby authorized to complete and sign the appropriate report of Personnel Change and Extended Payroll Certificate ("RPC") for this hiring.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 123-14  
VALVE EXERCISER AND VALVE KEY FOR WATER DEPARTMENT APPROVED

Resolution by: Gillette  
Seconded by: Giammichele

WHEREAS the Town Supervisor and the Water Systems Supervisor recognize the importance of exercising valves in the water system to keep them operating smoothly, they have agreed to purchase a portable valve operator and a telescopic valve key for the Water Department, and

WHEREAS the purchase of the exerciser and valve key were planned and budgeted by the Water Board for the year 2014, and

WHEREAS quote #KR68010 from E.H. Wachs has been received for both as follows:

1- Wachs 110 volt portable reversible valve operator for a total of \$5,995.00, and

1- Telescopic valve key for use with valve operator for a total of \$425.00,

For a grand total of \$6,420.00, freight charges included and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor and Water Systems Supervisor to purchase the proposed Portable Valve Exerciser and Telescopic Valve key for an amount not to exceed Six Thousand Four Hundred Twenty dollars (\$6,420.00).

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

Since there was no further business to come before the Water Board, Supervisor Fairbrother closed the Water Board meeting at 7:08 p.m.

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TOWN BOARD

Supervisor Fairbrother called the Town Board meeting to order at 7:09 p.m.

CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the minutes of March 26, 2014 after a correction in Resolution No. 103-74 Abstract of Audited Vouchers should have read March not ~~February~~. All in favor, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the minutes of April 9, 2014 as presented. All in favor, motion carried.

NEW BUSINESS

RESOLUTION NO. 124-14  
VOID CHECK APPROVED

Resolution by: Giammichele  
Seconded by: Saglibene

WHEREAS a memorandum was received from the Bookkeeper, dated April 14, 2014 requesting authorization to void a specific check, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check #12901 for \$127.55, dated March 28, 2014 and deleting voucher # 4003095 made payable to USA Bluebook Utility Supply.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 125-14  
BUDGET AMENDMENTS APPROVED

Resolution by: Adams  
Seconded by: Gillette

WHEREAS a memorandum was received from the Bookkeeper, dated April 14, 2014 requesting authorization to complete budget amendments, and

WHEREAS the Town has received a grant for \$120.00 under the 2013-2014 cycle of the Justice Court Assistance program (JCAP) on behalf of the court office, and

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RESOLUTION NO. 125-14, BUDGET AMENDMENTS APPROVED continued

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to fulfill the following budget amendments:

Increase Estimated Revenues-A0510	\$120.00
Increase State Aid Court Grant –A3021	\$120.00
Increase Appropriations –A0960	\$120.00
Increase Justice CE Grant--A1110.0401	\$120.00

In addition, a balance of \$5,411.05 from JCAP 2012-2013 cycle grant was unused and deferred at the end of 2014.

Please, amend 2014 budget to accommodate changes.

Increase Estimated Revenues-A0510	\$5,411.05
Increase State Aid Court Grant –A3021	\$5,411.05
Increase Appropriations –A0960	\$5,411.05
Increase Justice CE Grant--A1110.0401	\$5,411.05

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 126-14  
ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Saglibene  
Seconded by: Adams

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for April 2014, vouchers 4003140 – 4003242 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$133,334.67
HIGHWAY FUND	\$ 26,593.13
SEWER DISTRICT	\$ 378.19
WATER DISTRICT #1	\$ 8,508.48
WATER DISTRICT #2	\$ 13,938.46
WATER DISTRICT #3	\$ 4,686.41
WATER DISTRICT #4	\$ 1,286.37
LIGHTING DISTRICT	\$ 1,058.87
TRUST & AGENCY	\$ 1,587.01

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

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RESOLUTION NO.127-14  
DAVIS-ULMER AGREEMENT APPROVED

Resolution by: Gillette  
Seconded by: Giammichele

WHEREAS testing and inspection of the sprinkler systems and backflow preventers is required by New York State regulations, and

WHEREAS Davis-Ulmer, Inc. has submitted a renewal to provide inspection, testing, and preventative maintenance for the sprinkler systems and backflow preventers in the Community Center and two Department of Public Works buildings, and

WHEREAS the inspection, testing, and preventative maintenance of the sprinkler system will be performed in accordance with 901.6 of the Fire Code of New York State and Chapters 5 and 12 of NFPA 25-1998 edition, and

WHEREAS the Deputy Commissioner of Public Works recommends the Town Board renew its maintenance agreement with Davis-Ulmer, Inc for the purpose of providing inspection, testing, and preventative maintenance on the sprinkler systems and backflow preventers within said buildings, and

WHEREAS for environmental review, inspections and routine maintenance are a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (1) and (24) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Deputy Commissioner of Public Works to renew an agreement with Davis-Ulmer, Inc. for the purpose of providing inspection, testing, and preventative maintenance on the sprinkler systems and backflow preventers for the Community Center and two Department of Public Works buildings at a cost of, One Thousand Two Hundred Ten dollars (\$1,210.00) annually.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 128-14  
AUTHORIZATION TO GO TO BID FOR TAX PARCEL # 98.05-1-29 APPROVED

Resolution by: Giammichele  
Seconded by: Adams

WHEREAS Tax Parcel 98.05-1-29, 52 Alvord Drive is owned by the Town, and

WHEREAS it has been determined by the Town Board that the parcel is of no value to the Town, and

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

RESOLUTION NO. 128-14, AUTHORIZATION TO GO TO BID FOR TAX PARCEL # 98.05-1-29 APPROVED continued

WHEREAS the Town Board did surplus the tax parcel in 2013, and

WHEREAS the Town Supervisor will solicit and receive bids for the sale of the parcel, and

WHEREAS for environmental review purposes, sale of surplus government property is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board authorizes the Town Supervisor to solicit bids for the sale of Tax Parcel 98.05-1-29, 52 Alvord Drive.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 129-14  
SUMMER T.A.F.F.Y. EMPLOYEES FOR 2014 APPROVED

Resolution by: Saglibene

Seconded by: Gillette

WHEREAS the Big Flats Youth Services Department will be hosting the Summer TAFFY Program, and

WHEREAS the Program Coordinator conducted interviews and necessary background checks and recommends the Town Board appoint the employees listed below, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board appoints the following Summer TAFFY employees at the following hourly rate effective May 19, 2014 – August 8, 2014:

Allen, Meghan	\$8.75 (Park Leader)
Audinwood, Sarah	\$8.10
Blaney, Claire	\$8.75 (Park Leader)
Buffington, Kayleigh	\$8.10
Burlew, Jenna	\$8.05
Carpenter, Logan	\$8.00
Chaborek, Michael	\$8.00
Crimmins, Brian	\$8.10
Cross, Nicole	\$8.00
Curtis, Wynn	\$8.75 (Park Leader)
Frisbie, Cameron	\$8.75 (Park Leader)
Fuller-Sincock, Danielle	\$8.00
Ganon, Alexis	\$8.05

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RESOLUTION NO. 129-14, SUMMER T.A.F.F.Y. EMPLOYEES FOR 2014 APPROVED  
continued

Jude, Kenan	\$8.00
Kahimeyer, Jeffrey	\$8.05
LaLomia, Felicia	\$8.10
Lee, Amanda	\$8.75 (Park Leader)
Leland, Abby	\$8.00
Lovell, Sara	\$8.10
Marino, Nicholas	\$8.05
Marshall, Allyson	\$8.05
Marshall, Brendan	\$8.00
McCawley, Sara	\$8.05
Page, Micah	\$8.05
Rathbun, Kelly	\$9.00 (Rec. Spec)
Reynolds, Jacob	\$8.00
Rich, Elizabeth	\$8.00
Sechrist, Sara	\$9.50 (Rec. Spec)
Seymour, Melissa	\$8.05
Stein, Derek	\$8.05
Wagner, Larissa	\$8.75 (Park Leader)

FUTHER RESOLVED the Town Board appoints Paul Sechrist as Park Rover at the rate of \$8.75 per hour effective May 19, 2014 through August 15, 2014.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 130-14  
ROAD SALT PURCHASE FOR 2014 - 2015 THROUGH STATE BID APPROVED

Resolution by: Gillette  
Seconded by: Giammichele

WHEREAS the Town will need to purchase salt for winter road maintenance for 2014 - 2015,  
and

WHEREAS the State bid for road salt is listed under Group No. 01800, and

WHEREAS the contract period for road salt is September 1, 2014 through August 31, 2015 and

WHEREAS the state mandated that a Requirement Letter be filed with OGS prior to May 30,  
2014 to participate in purchasing under State Bid, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA  
6NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

RESOLUTION NO. 130-14, ROAD SALT PURCHASE FOR 2014 - 2015 THROUGH STATE BID APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes the Deputy Commissioner of Public Works to purchase road salt, not to exceed One Thousand Nine Hundred Twenty (1,920) tons, utilizing State Bid contract for the duration of said contract period.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 131-14  
APRIL 23, 2014 COMMUNICATION LOG APPROVED

Resolution by: Giammichele  
Seconded by: Gillette

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

February 26, 2014

FEMA – U.S. Department of Homeland Security – RE: National Flood Insurance Program (NFIP) Community Rating System (CRS). *Referred to: Town Supervisor, Town Board, and Town Clerk for filing.*

April 1, 2014

State of New York Executive Chamber Andrew M. Cuomo – RE: New York State Budget. *Referred to: Town Supervisor, Town Board, and Town Clerk for filing.*

April 2, 2014

NYSEG\_- RE: Town of Big Flats-Maple Street Sewer Pump Station On Site Backup Generation Facility (“the Facility”) – Final Acceptance *Referred to: Town Supervisor, Town Board, Code Enforcement and Town Clerk for filing.*

April 3, 2013

State of New York Office of the State Comptroller – RE: Town of Big Flats; The Vision Center, Willow Tree Holdings, LLC Extension to Water District No. 1; Dandy Mini Mart, Just Dandy, LLC Extension to Water District No. 1. *Referred to: Town Supervisor, Town Board, Code Enforcement, Water Supervisor and Town Clerk for filing.*

April 9, 2014

State of New York Department of Transportation - RE: CHIPS and Marchiselli Program funding. *Referred to: Town Supervisor, Town Board, Department of Public Works and Town Clerk for filing.*



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RESOLUTION NO. 131-14, APRIL 23, 2014 COMMUNICATION LOG APPROVED  
continued

April 16, 2014

Time Warner Cable - RE: Learn how to become a Time Warner Cable Vendor or Supplier  
*Referred to: Town Supervisor, Town Board, and Town Clerk for filing.*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 132-14  
ATTENDANCE FOR THE ASSOCIATION OF TOWNS TAX COLLECTORS  
SEMINAR APPROVED

Resolution by: Saglibene  
Seconded by: Adams

WHEREAS the New York Association of Tax Receivers & Collectors seminar is a training Seminar for Tax Collectors, and

WHEREAS said seminar is held annually with representatives offering sessions for updates regarding new and proposed regulations that effect the operations of office of the Tax Collector, and

WHEREAS Tammy Stein Deputy Town Clerk has agreed to provide office coverage during the absence of the Town Clerk, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes Linda Cross, Town Clerk, to attend the New York State Association of Tax Receivers & Collectors Seminar held June 8<sup>th</sup> – 11<sup>th</sup>, 2014, using the Town car with expenses, not-to-exceed Six Hundred Fifty (\$650.00) and all appropriate expenses to be paid from the appropriate budgets.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

RESOLUTION NO. 133-14  
PUBLIC HEARING SET FOR A SPECIAL USE PERMIT APPROVED

Resolution by: Giammichele  
Seconded by: Adams

WHEREAS the Planning Board has received an application on March 14, 2014 from Conrad Zurich for site plan approval to permit a seasonal Flea Market sales event located entirely within the existing Drive-In located at 2417 State Route 352, and

WHEREAS the property is located in the Business Neighborhood (BN) and Residential 2 (R2) district near the intersection of State Route 352 and Harris Hill Road, and

WHEREAS, the requested temporary/seasonal use is an allowed Principal Use within the Business Neighborhood (BN) and is proposed as a seasonal Accessory Use to the Principal Use within the Residential 2 (R2) zone, and,

WHEREAS the Town of Big Flats planning recommends the Town Board consider approval of the Special Use permit request as submitted, and

BE IT THEREFORE RESOLVED the Town Board hereby schedules a public hearing to be held on March 26, 2014, for the special use permit requested with the following conditions:

- Hours of Operation shall be limited to hours within the times of 8:00 am EST and 3:00 pm EST
- The dates of the sales event shall be Sundays only May thru September
- The Special Use Permit shall be re-evaluated on an annual basis
- All signage shall comply with Town of Big Flats Municipal Code Chapter 17.52
- Any deviation from the site plan shall be approved by the Code and Planning Office and the Planning Board.

FURTHER RESOLVED for the purposes of SEQRA, the Town of Big Flats Planning Board is the lead agency, shall deem the proposed action to be unlisted and shall make the determination for a negative declaration of significant environmental impacts.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 134-14  
SPECIAL TOWN BOARD MEETING TIME CHANGE SET

Resolution by: Gillette  
Seconded by: Giammichele

WHEREAS a request to discuss the Town of Big Flats parks rules and regulations with the Department of Public Works employees and starting a Parks Commission, and

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

RESOLUTION NO. 134-14, SPECIAL TOWN BOARD MEETING TIME CHANGE SET  
continued

WHEREAS the Town Board meeting of May 14, 2014 is set to start at 4:30 p.m., and

THEREFORE BE IT RESOLVED that the Town Board Meeting of May 14, 2014 will begin at 4:00 p.m.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 135-14  
CONTRACT WITH SUNSTREAM CORPORATION NOT TO EXCEED \$25,000

Resolution by: Adams  
Seconded by: Gillette

WHEREAS the Town Board has, as recommended by the Supervisor of the Code Office, determined it necessary to contract with Sunstream Corporation for removal of asbestos at the property located at 78 Hammond Street in the Town of Big Flats, and

WHEREAS inspection of the property was determined that asbestos was present in the location and necessary to be removed before the property could be demolished, and

WHEREAS the Code Enforcement has received three bids for the asbestos removal at 78 Hammond Street, Big Flats, NY, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Sunstream Corporation for professional services at a cost not-to-exceed Twenty Five Thousand Dollars (\$25,000) contingent upon the review and approval of the Attorney of the Town.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

Supervisor Fairbrother reports:

- USDA Audit on May 7, 2014
- Financial Consultants
- Fire Alarm System in Town Garage shorted out and will be replaced Thursday.
- Getting the new vehicles licensed this week
- Town Sewer Project / Intermunicipal Agreement with the County Sewer District for 2 years

MINUTES OF THE WATER AND TOWN BOARD MEETING OF APRIL 23, 2014

- Website Training for all Departments
- Supervisor Fairbrother reports: continued

- Part-time Bookkeeping needed
- Still looking at Payroll / Water Department Computer Systems
- Security Systems 1<sup>st</sup> week of May
- Discussion regarding Sharing Assessors :  
Town of Horseheads, Town of Elmira, Town of Southport, Town of Big Flats  
TAB program for Towns / Have own BOAR Board
- Financials
- Internships
- Community Park Major League ball field

RESOLUTION NO. 136-14  
PAYMENT TO RANDY PARKER LANDSCAPING

Resolution by: Fairbrother  
Seconded by: Gillette

WHEREAS the ball fields at Community Park are in need of drainage for the Major League ball field, and

WHEREAS the Town Board has elected to approve the improvements to the Major League field, and

WHEREAS Randy Parker Landscaping has the expertise in this construction and was recommended to complete the repair to the field, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to make a payment to Randy Parker Landscaping of two thousand dollars (\$2,000.00)

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

Councilperson Adams made a motion, seconded by Councilperson Giammichele to adjourn the Town Board meeting at 8:16 p.m. All in favor, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk